IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

**O R D E R**

S.B.CRIMINAL MISC. PETITION NO. 1346/2006
(Iqramudeen Vs. State of Rajasthan & Anr.)

Date of Order : 12/10/2006

**PRESENT**

**HON'BLE MR. JUSTICE H.R.PANWAR**

Mr. N.L.Joshi for the petitioner.
Mr. Ashok Upadhyay, public prosecutor.

**BY THE COURT**:-

Upon hearing the learned counsel for the petitioner, learned counsel submits that at this stage he does not want to press the criminal misc. Petition but seeks a direction that instead of summoning the petitioner by a non-bailable warrant, the petitioner may be summoned by a bailable warrant.

Having regard to the facts and circumstances of the case, it is expedient to direct the petitioner to appear before the trial court on 18.10.2006 and move a regular bail and if the petitioner surrenders before the trial court on 18.10.2006 and moves a regular bail, the trial court shall enlarge him on bail considering the fact that the police has filed negative final report on the terms and conditions the trial court thinks fit.

Till 18.10.2006 the non-bailable warrant issued against the petitioner shall not be executed and if the petitioner fails to surrender before the trial court on 18.10.2006, it is open for the trial court to summon the petitioner by a non-bailable warrant.

The petition is accordingly disposed of.

**(H.R.PANWAR),J.**

rp